

REMARKS

Claims 1-20 are pending in the application. Claim 12 has been amended to further clarify the claimed invention. Claims 13 and 14 have been canceled without prejudice. No new matter has been added.

Drawings

In the Office Action mailed February 10, 2009, the Office indicated that the description of the drawings as originally submitted under Brief Description of the Drawings for Figure 8 (page 8) is not consistent with the actual drawing. A replacement color photograph (Figure 8) is submitted under separate cover. No new matter has been inserted. Entry of the replacement drawing is respectfully requested.

Objection to the Specification

The specification has been objected to for failing to recite the continuing data for PCT/KR2005/00329. The specification has been amended. Therefore this objection has been overcome.

The disclosure has also been objected to because of the use of trademarks “TWEEN®” and “PLURONIC®”. The Examiner’s remarks will be taken into advisement.

Rejection Under 35 U.S.C. §112, first paragraph

Claims 13 and 14 have been rejected under 35 U.S.C. §112, first paragraph, the Examiner believes that the specification does not provide enabling disclosure for the subject matter of claims 13 and 14. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested. However, claims 13 and 14 have been canceled. Accordingly, this rejection has been overcome.

Rejection Under 35 U.S.C. §112, second paragraph

Claim 12 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested. It is believed that the amended claim is definite. Accordingly, this rejection is overcome.

Rejection Under 35 U.S.C. §102(a)

Claims 1-6, 12 and 20 have been rejected under 35 U.S.C. §102(a) as being anticipated by Bae et al (The Journal of Immunology, January 1, 2004, Vol. 173, No. 1, pages 607-614). Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

In response, applicants assert that the inventorship of the present application and the authorship of Bae et al are identical. Therefore, the cited reference fails to be citable against the presently claimed invention. A Request to correct the Inventorship is filed under separate cover.

Rejoinder

Applicants respectfully request the Examiner to rejoin the non-elected claims 15-17 for examination on the merits as they are methods of using the polypeptide of claim 1, once the product claims are found to be in allowable condition

Conclusion

It is believed that the application is now in condition for allowance. Applicants request the Examiner to issue a notice of Allowance in due course. The Examiner is encouraged to contact the undersigned to further the prosecution of the present invention.

The Commissioner is hereby authorized to charge JHK Law's Deposit Account No. **502486** for such fees required under 37 CFR §§ 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

JHK Law

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